

REMARKS

Applicant respectfully requests the Examiner's reconsideration of the present application. Claims 1, 9, 13, 15, 17, 22, 26, 33, 37 and 39 have been amended. No new claims have been added. Claims 2, 3, 10, 14, 16, 27, 28, 34, 38, and 40 have been cancelled. Therefore, claims 1, 4-7, 9, 11-13, 15, 17-26, 29-33, 35-37 and 39 are presented for examination.

Claim Amendments

Applicant has amended the claims to more particularly point out what Applicant regards as their invention. No new matter has been added as a result of these amendments.

Claims 1, 5-8, 9, 11-12, 17, 21-22, 26, 30-31, 32, 33, 35, 36, 41-42 and 45-48 stand rejected under 35 U.S.C. §103(a) as being obvious over Kanazawa et al., (U.S. Patent No. 6,580,870) in view of Eyer et al. (U.S. Patent No. 5,982,445).

Kanazawa discloses a reproducing system to reproduce the title information recorded on a DVD and allow retrieval of a web page corresponding to the information defined in the DVD. As the DVD is played, an information management table stored on the DVD, containing time information and streams of title information, controls the display of a Web mark. Upon the display of the Web mark while the DVD is played, the user can click on the Web mark, where the CPU determines if the particular type of Web page can be accessed. If the Web page is available, the video is paused and interrupted while the CPU link to a Web server on the Internet via a modem, accesses the web page, displays the web page, then terminates the Web server connection and resumes playing the video (Figures 8, 9, and 15).

Eyer discloses a method whereby on-screen display devices invoke hyperlinks to different pages of HTML-coded data in addition to functions call for controlling television

and non-television appliance functions (Abstract). Eyer speaks of using a Common Gateway Interface (CGI) program to generate HTML in real-time to produce a dynamically generated web page with the CGI program, or script, to perform various Web functions. Specifically, Eyer discloses a system that provides the capability to control channel selection, volume adjustments in addition to interactive operations such as purchase of near-video-on-demand programming or other home shopping products or services as well as non-television appliance functions such as home heating, air conditioning system or security system. As shown in Figure 5, multiple fields on a display screen such as aspect ratio, volume as related to television functions are displayed corresponding to the television features which can be modified.

No Motivation to Combine Kanazawa and Eyer

The Office Action (dated 7/28/05) uses Kanazawa as the primary reference on which rejections against all claims are based. Applicant respectfully submits that there is no motivation to combine Kanazawa and Eyer. Eyer teaches a method of controlling various television functions such as tint, aspect ratio and brightness, along with non-television appliance functions such as switching on/off the security system and the air condition, using a dynamically generated web page in an HTML environment using scripts to perform web functions. In other words, Eyer, teaches only an HTML control environment to receive user input, but no other environment to receive user input. Similarly, Kanazawa's disclosure intends to communicate information to a user by providing the user an ability to supplement the information provided by the DVD in the audio visual display with specific and related external information from the web. Upon retrieving this information, the system automatically resume playing the DVD so the user can continue to review the remaining DVD content. Kanazawa teaches only a DVD control environment to receive user input, but no other environment to receive user input. In fact, Kanazawa does not want a second control environment where user input can be accepted. He emphasizes this point of only allowing user input in the DVD control environment by having the system always return to the DVD mode after the web

page is retrieved by the system, as illustrated in at least Figures 8, 9, and 15. Therefore, applicant respectfully submits that there is no motivation to combine Kanazawa and Eyer.

Applicant's claims require receiving user inputs in both active video and active text environments, and in both a DVD and a markup language mode. One motivation for having two control environments in Applicant's claimed invention is so that in the active text mode, e-commerce transactions can take place, thereby allowing the user to enter data such as the user's name, address, credit card number, etc. Whereas in when active video mode is employed during the display of graphics-intensive data, there is fast changing video content being displayed on video display of the device to provide merchandise information (page 19). Another relevant and important motivation of having two control environments, as explained in the previous Response to Office Action (Dated 5/10/2005, page 15), is because the incorporation of multiple control modes in a device can provide for easier design and development of the hardware and software of a device that integrates DVD and HTML content. Since each format involves different programming and operating environments, this dichotomy in environments allows separate development efforts by two different teams, each fluent in its respective data content development, to easily design and develop the generation of data content within their own control mode to accomplish the integration of DVD and HTML content.

Combination of Kanazawa and Eyer does not render Applicant's invention obvious

Independent Claims 1, 9, 17, 22, 26 and 33

Independent claims 1, 9, 17, 22, 26 and 33, as amended, all include the limitation of "... depending on type of user input as well as timing of such input..." Applicant submits that neither Kanazawa nor a combination with Eyer teaches the limitation in the claims as amended. Kanazawa discloses that "the time information [in the information management table] is information to specify the display time for displaying a Web mark

during a display period of a specific piece of stream information for which a Web page has been prepared." (Col. 7 lines 14-18). Further, when a user clicks on the Web Mark, "the judging section judges the validity of resources use on the basis of the information management table, judges whether the webpage corresponding to the stream information specified by the user can be accessed." (Col 7. lines 60-64).

Assuming arguendo that there is motivation to combine Kanazawa and Eyer, the combination would not transition between modes as Applicant claims. The combination would require playing of a DVD, displaying of a web mark (with script control) according to instructions stored on the DVD, having the user click on the web mark (with script control), the judging section then evaluate if the conditions, such as resources available and web page availability, are fulfilled, before accessing the web page and switching to the HTML control environment of Eyer. Thus, in the combination of Kanazawa and Eyer, there are two sequential determinations by the system – display of the web mark (with script control) and passing of the judging section, separated by exactly one type of user input – user clicking on the web mark (with script control), before changing into a browsing mode. In contrast, applicant's invention claims "... depending on type of input as well as timing of such input ...", teaches the possibility of more than one type of user input, and the evaluation of the user input information – both the type and timing of such input, takes place in one step simultaneously, before changing to an active text mode.

Amended independent claims 1 and 26 also incorporate the limitation "displaying a second markup language page that includes a second script; and changing control of the device from the second mode back to the first mode upon execution of the second script; wherein the first script and the second script a can be modified from a remote site through a wireless connection" previously described in dependent claims 2, 3, 27 and 28, while amended independent claims 9 and 33 also include the limitation "...wherein the script can be updated from a remote location via a wireless location" previously described in dependent claims 10 and 34.

In light of the arguments presented, applicant respectfully submits that the independent claims 1, 9, 17, 22, 26, and 33 are patentable over the combination of Kanazawa and Eyer.

Dependent Claims 5-8, 11-12, 21, 30-31, 32, 35, 36, 41-42, and 45-48

Dependent claims 5-8, 11-12, 21, 30-31, 32, 35, 36, 41-42 and 45-48 depend upon amended independent claims 1, 9, 17, 22, 26, and 33 and thus incorporate the limitations contained therein. For at least this reason, Applicant respectfully submits that dependent claims 5-8, 11-12, 21, 30-31, 32, 35, 36, 41-42 and 45-48 are also patentable over the combination of Kanazawa and Eyer.

Claims 13-14, 15, 37, 39 and 43-46 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kanazawa and Eyer in view of Gerba et al., (U.S. Patent No. 5,931,908).

Gerba discloses a method and apparatus for linking real-time data with audiovisual content to enable user to make selections, manipulate data, and to execute functions interactively through an audiovisual display use based upon audio visual content being displayed at the time (Abstract). For example, overlay functions may include a visible graphical outline appearing on the audiovisual display around an item, when selected this item will connect to a web page containing more information about the item via the world wide web. Similar to Kanazawa's disclosure, Gerba also discloses that a user may simple click on an object, which does not contain a script, to access a web page.

Independent claim 13, 15, 37 and 39

Independent claims 13, 15, 37 and 39, as amended, incorporate the limitation "... depending on type of user input as well as timing of such input..." Kanazawa and Eyer are described above and their combination fails to overcome this amended limitation.

Gerba as described fails to cure the deficiency in the combination of Kanazawa and Eyer.

Independent claims 13, 15, 37, and 39 are further amended to include the limitation "... wherein the script can be modified from a remote site through a wireless connection" that was previously described in dependent claims 14, 16, 38 and 40.

Therefore, Applicant respectfully submits that independent claims 13, 15, 37 and 39 in their amended forms are patentable over Kanazawa and Eyer further in view of Gerba.

Dependent claims 14 and 43-46

Dependent claim 14 has been cancelled. Dependent claims 43-46 depend on claims 13 and 17, and thus include the limitations contained therein. For at least this reason, Applicant respectfully submits that claims 1, 43-46 are patentable over the combination of Kanazawa and Eyer further in view of Gerba.

Claims 4, 7, 10, 18-19, 23-24, 29, 32 and 34 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kanazawa and Eyer in view of Lyons et al., (U.S. Patent No. 5,623,656).

Lyons' disclosure focuses on an improvement to prior hypertext script-based data communication systems by pre-processing script-based data communications in a manner that embeds information regarding the previous state of the system within the script data (Abstract). In essence, the script data memory stores files represented in the form of HTML-D scripts about previous states of the computer system. HTML-D scripts containing data may be transmitted between client computer and the server computer to allow for transfer of information. Lyons is concerned with transmission of data through the script between server and client instead of using the script to control

the change in the mode of control. Further, Lyons fails to teach or suggest a system which accepts different types of inputs which result in a change in mode of control.

Dependent claims 4, 7, 10, 18-19, 23-24, 29, 32 and 34

Dependent claims 10 and 34 have been cancelled. Claims 7, 18-19, 23-24, 29, 32 and 34 depend from independent claims 1, 17, 22, 26 and 33 and incorporate the limitation "... depending on type of user input as well as timing of such input..." contained therein. The combination of Kanazawa and Eyer is described and fails to teach or suggest the limitation. Lyons as described above fails to cure the deficiency of Kanazawa and Eyer. For at least this reason, Applicant respectfully submits that claims 7, 18-19, 23-24, 29, 32 and 34 are patentable over Kanazawa and Eyer further in view of Lyons.

Claims 2, 20, 25 and 27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kanazawa and Eyer in view of Humpleman et al., (U.S. Patent No. 6,288,716).

Humpleman discloses a method and apparatus for using a home network to implement a single control apparatus with a single mode of operation, for controlling a plurality of home devices connected to the network without requiring any change in the mode of operation of the control apparatus to change the device being controlled therein. Humpleman uses a browser based home network where devices such as DVD player, television, VCR are connected. Data in the form of HTML, JAVA, GIF, JPEG, graphic files, or any other format useful for providing interface for the commanding and controlling of the home device over the home network can be employed. In one embodiment, HTML pages that provide a plurality of graphical user interfaces are used for commanding and controlling each home device. Humpleman is similar to Eyer and teaches the use of HTML web pages to control home devices, but without the need of

script control or changing mode. Further, Humpleman does not teach or suggest the capability of using different types of user input to change the mode of control.

Dependent claims 2, 20, 25 and 27

Claims 2 and 27 have been cancelled. Dependent claims 20 and 25 depends from independent claims 17 and 22 thus include the limitation "... depending on type of user input as well as timing of such input..." contained therein. As described above, the combination of Kanazawa and Eyer fails to teach or suggest the limitation. Humpleman as described above fails to cure the deficiency of Kanazawa and Eyer. For at least this reason, Applicant respectfully submits that claims 20 and 25 are patentable over Kanazawa and Eyer further in view of Humpleman.

Claims 3 and 28 stand rejected under 35 U.S.C. §103(a) as being unpatentable over a combination of Kanazawa, Eyer and Humpleman in view of Lyons.

Dependent claims 3 and 28 have been cancelled.

Claims 16, 38 and 40 stand rejected under 35 U.S.C. §103(a) as being unpatentable over a combination of Kanazawa, Eyer and Gerba further in view of Lyons.

Dependent claims 16, 38 and 40 have been cancelled.

Conclusion

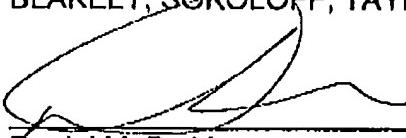
Applicant respectfully submits that in view of the amendments and discussion set forth herein, the applicable rejections have been overcome and the pending claims are in condition for allowance.

If the Examiner determines the prompt allowance of the claims could be facilitated by a telephone conference, the Examiner is invited to contact the undersigned at (408) 720-8300.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,
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